



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bett, Andrew J. et al.

Serial No. 10/645,794

Filed: August 21, 2003

For: METHODS FOR PROPAGATING ADENOVIRUS AND
VIRUS PRODUCED THEREBYArt Unit: 1645

Examiner: _____

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By

Date

July 18, 2005

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,


By: Anna L. Cocuzzo

Attorney _____ For Applicant(s)

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Date: July 18, 2005

STATEMENT BY APPLICANT

JUL 21 2005

(use as many sheets as necessary)

Sheet

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of

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COMPLETE IF KNOWN**Application Number**

10/645,794

Filing Date

August 21, 2003

First Named Inventor

Bett, Andrew J. et al.

Group Art Unit

1645

Examiner Name

Attorney Docket Number

20699Y

[illegible][illegible]Examiner
SignatureDate
Considered

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STATEMENT BY APPLICANT

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COMPLETE IF KNOWN

Application Number	10/645,794
Filing Date	August 21, 2003
First Named Inventor	Bett, Andrew J. et al.
Group Art Unit	1645
Examiner Name	

Sheet	2	of	2	Attorney Docket Number	20699Y
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
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Mei, Y. et al. "Human Adenoviruses of Subgenera B, C, and E with Various Tropisms Differ in Both Binding to and Replication in the Epithelial A549 and 293 Cells", *Virology*, 2002, Vol. 295, pp. 30-43

Shiver, John W. et al. "Replication-incompetent adenoviral vaccine vector elicits effective anti-immunodeficiency-virus immunity", *Nature*, 2002, Vol. 415, pp. 331-335

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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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